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## PARK CITY MUNICIPAL CORPORATION MUNICIPAL CODE

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### TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.14 RESIDENTIAL DEVELOPMENT-MEDIUM DENSITY (RDM) DISTRICT

*Chapter adopted by Ordinance 00-51*

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#### 15-2.14-1. PURPOSE.

The purpose of the Residential Development Medium Density (RDM) District is to:

- (A) allow continuation of medium Density residential and resort related housing in the newer residential Areas of Park City;
- (B) encourage the clustering of residential units to preserve Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of construction and municipal services;
- (C) allow limited generated businesses and recreational activities that are Compatible with residential neighborhoods;
- (D) allow Development in accordance with the Sensitive Lands Ordinance;
- (E) provide opportunities for variation in architectural design and housing types,
- (F) promote pedestrian connections within Developments and between adjacent Areas; and
- (G) minimize impacts of the automobile on architectural design.

*(Amended by Ordinance No. 02-24)*

#### 15-2.14-2. USES.

Uses in the RDM District are limited to the following:

##### (A) [ALLOWED USES](#).

- (1) Single Family Dwelling
- (2) Duplex Dwelling
- (3) Triplex Dwelling
- (4) Secondary Living Quarters
- (5) Lockout Unit (Nightly Rental of Lockout Units requires a Conditional Use permit)
- (6) Accessory Apartment (See LMC Chapter 15-4, Accessory Apartments)

- (7) Nightly Rental (Nightly Rentals do not include the Use of Dwellings for Commercial Use)
- (8) Home Occupation
- (9) Child Care, In-Home Babysitting (See LMC Chapter 15-4-9, Child Care Regulations)
- (10) Child Care, Family (See LMC Chapter 15-4-9, Child Care Regulations)
- (11) Child Care, Family Group (See LMC Chapter 15-4-9, Child Care Regulations)
- (12) Accessory Building and Use
- (13) Conservation Activity
- (14) Agriculture
- (15) Parking Area or Structure with four (4) or fewer spaces
- (16) Recreation Facility, Private
- (17) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays (Olympic Legacy Displays limited to those specific Structures approved under the SLOC/ Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed on the original Property set forth in the services agreement and/or Master Festival License)

(B) CONDITIONAL USES.

- (1) Multi-Unit Dwelling (Subject to provisions of LMC Chapter 15-6, Master Planned Development)
- (2) Guest House
- (3) Group Care Facility
- (4) Child Care Center (See LMC Chapter 15-4-9, Child Care Regulations)
- (5) Public and Quasi-Public Institution, Church, and School
- (6) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (7) Telecommunication Antenna (See LMC Chapter 15-4-14, Telecommunication Facilities)
- (8) Satellite Dish, greater than thirty-nine inches (39") in diameter. (See LMC Chapter 15-4-13)
- (9) Raising grazing of horses
- (10) Cemetery
- (11) Bed and Breakfast Inn
- (12) Boarding House, Hotel
- (13) Hotel, Minor (Subject to provisions of LMC Chapter 15-6, Master Planned Development)
- (14) Hotel, Major (Subject to provisions of LMC Chapter 15-6, Master Planned Development)
- (15) Private Residence Club Project and Conversion (Requires an Administrative Conditional Use permit)
- (16) Office, General (Subject to provisions of LMC Chapter 15-6, Master Planned Development. General Offices are only permitted with an approved Master Planned Development and may only be approved as the redevelopment of an existing Building or Property. In addition to meeting the necessary criteria in LMC Chapter 15-6 MPDs, the Planning Commission must find that: a) the redevelopment of an existing Building or Property to a General Office Use will substantially advance the objectives of the Economic Element of the General Plan or other more specific neighborhood plans; b) it has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval; c) it will not result in an intensification of use incompatible with neighboring Developments; and d) it will not result in substantial increase in the existing trip generations for services and deliveries.)
- (17) Office, Moderate Intensive (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).
- (18) Office and Clinic, Medical (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).
- (19) Financial Institution, without drive-up window (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).
- (20) Commercial Retail and Service, Minor (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).
- (21) Commercial Retail and Service, personal improvement (Subject to provisions of LMC Chapter 15-6, Master

Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(22) Commercial, Resort Support (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(23) Cafe or Deli (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(24) Restaurant, Standard (Subject to provisions of LMC Chapter 15-6, Master Planned Development. Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(25) Restaurant, Outdoor Dining (Requires an administrative Conditional Use permit)

(26) Outdoor Event (Requires an administrative Conditional Use permit)

(27) Bar (Subject to provisions of LMC Chapter 15-6, Master Planned Development; Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(28) Hospital, Limited Care Facility (Subject to provisions of LMC Chapter 15-6, Master Planned Development; Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(29) Parking Area or Structure with five (5) or fewer spaces

(30) Temporary Improvement (Requires an administrative Conditional Use permit)

(31) Passenger Tramway Station and Ski Base Facility (As part of an approved Ski Area Master Plan)

(32) Ski Tow, Ski Lift, Ski Run, and Ski Bridge (As part of an approved Ski Area Master Plan)

(33) Recreation Facility, Public

(34) Recreation Facility, Commercial (Subject to provisions of LMC Chapter 15-6, Master Planned Development)

(35) Entertainment Facility, Indoor (Subject to provisions of LMC Chapter 15-6, Master Planned Development; Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(36) Commercial Stables, Riding Academy (Subject to provisions of LMC Chapter 15-6, Master Planned Development; Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for residents or occupants of adjacent or adjoining residential Developments).

(37) Master Planned Development with moderate income housing Density bonus (Subject to provisions of LMC Chapter 15-6, Master Planned Development)

(38) Master Planned Development with residential and transient lodging Uses only (Subject to provisions of LMC Chapter 15-6, Master Planned Development)

(39) Master Planned Development with Support Retail and Minor Service Commercial (Subject to provisions of LMC Chapter 15-6, Master Planned Development)

(40) Fences greater than six feet (6') in height from Final Grade (Requires an administrative Conditional Use permit)

(41) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays (Olympic Legacy Displays limited to those specific Structures approved under the SLOC/Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and place in an Area other than the original location set forth in the services agreement and/or Master Festival License)

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

*(Amended by Ord. Nos. 02-24; 02-38; 04-39; 06-76)*

### **15-2.14-3. LOT AND SITE REQUIREMENTS.**

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **DENSITY.** The maximum Density allowed is five (5) units per acre. Developments reviewed and approved as a Master Planned Development may approach a maximum Density of eight (8) units per acre. Development must be clustered to preserve common Open Space, and protect Sensitive Lands, view corridors, and prominent Ridge Line Areas.

(B) **LOT SIZE.** For non-Residential Uses, the minimum Lot size is 14,000 square feet with 1,000 square feet of land required for each 1,000 square feet of floor Area. The maximum Floor Area Ratio is one (1).

(C) **FRONT YARD.** The minimum Front Yard is twenty feet (20'). New Front Facing Garages for Single Family and

Duplex Dwellings must be at least twenty-five feet (25') from the Front Lot Line. Open Parking Spaces may be allowed within the required Front Yard, but not within five feet (5') of the Side Lot Lines.

(D) **FRONT YARD EXCEPTIONS.** The Front Yard must be open and free of any Structure except:

(1) Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(2) Uncovered steps leading to the Main Building, provided the steps are not more than four feet (4') in height from Final Grade, not including any required hand rails, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.

(3) Decks, porches, and Bay Windows not more than ten feet (10') wide, projecting not more than five feet (5') into the Front Yard.

(4) Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Yard.

(5) Sidewalks, patios, and pathways.

(6) Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways, allowed Parking Areas, patios, and sidewalks may be Hard-Surfaced or graveled.

(7) Circular driveways meeting all requirements stated in LMC Chapter 15-3-4.

(E) **REAR YARD.** The minimum Rear Yard is ten feet (10'). On Corner Lots that back upon the Side Yard of another Lot, the minimum Rear Yard is ten feet (10').

(F) **REAR YARD EXCEPTIONS.** The Rear Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Yard.

(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Yard.

(3) Window wells and light wells projecting not more than four feet (4') into the Rear Yard.

(4) Roof overhangs and eaves projecting not more than three feet (3') into the Rear Yard.

(5) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or Structure to which it is attached.

(6) Detached Accessory Buildings not greater than eighteen (18') feet in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Setback of five feet (5'). Such Structures must not cover more than fifty percent (50%) of the Rear Yard.

(7) Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Building.

(8) Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.

(9) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review. (Fences greater than six feet (6') in height requires an administrative Conditional Use permit)

(10) Patios, decks, pathways, steps, and similar Structures, not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

(G) **SIDE YARD.**

(1) The minimum Side Yard for any Structure is ten feet (10').

(2) A Side Yard between connected Structures is not required where Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official.

(3) On Corner Lots, the Side Yard that faces a Street may not have a Side Yard that is less than fifteen feet (15').

(H) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(1) Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard.

(2) Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Yard.

(3) Window wells and light wells projecting not more than four feet (4') into the Side Yard.

(4) Roof overhangs and eaves projecting not more than three feet (3') into the Side Yard.

(5) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.

(6) Patios, decks, pathways, steps, and similar Structures not over thirty inches (30") in height above Final Grade,

located at least a minimum of one foot (1') from the Side Lot Line.

(7) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. A retaining wall may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review. (Fences greater than six feet (6') in height require an administrative Conditional Use permit)

(8) Driveways leading to a garage or approved Parking Area, maintaining a three foot (3') landscaped Setback to the Side Lot Line.

(9) Detached Accessory Buildings not greater than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building and maintaining a minimum Side Yard Setback of five feet (5').

(10) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(I) **OTHER EXCEPTIONS.** The Planning Commission may vary Front, Rear and Side Yards in Subdivisions and Master Planned Developments. In no case may the Planning Commission reduce Side Yards to less than ten foot (10') between Structures, except as provided for in LMC Section 15-2.14-3(G) herein.

*(Amended by Ord. No. 06-76)*

#### **15-2.14-4. BUILDING HEIGHT.**

No Structure may be erected to a height greater than twenty-eight feet (28') from Existing Grade. This is the Zone Height.

(A) **MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS.** To allow for pitched roofs and to provide usable space within the Structure, the following exceptions apply:

(1) A gable, hip, and similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

(2) Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.

(4) Church spires, bell towers, and like architectural features subject to the Architectural Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.

(5) Elevator Penthouses may extend up to eight feet (8') above the Zone Height.

(6) Ski lifts and tramway towers may extend above the Zone Height subject to a visual analysis and administrative approval by the Planning Commission.

(7) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

*(Amended by Ord. Nos. 02-38; 06-76; 07-25)*

#### **15-2.14-5. ARCHITECTURAL REVIEW.**

Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

*(Amended by Ord. No. 06-76)*

#### **15-2.14-6. FINDINGS REQUIRED FOR GENERAL OFFICE USE.**

In addition to meeting the necessary criteria in the Land Management Code, Chapter 15-6, Master Planned Developments, the Planning Commission must find that the redevelopment to a General Office Use

(A) will substantially advance the objectives of the Economic Element of the General Plan or more specific neighborhood plans;

(B) has minimized/eliminated any potential detrimental impact on the resort and/or resort-residential character of the RDM District and the Frontage Protection Zone through careful planning and conditions of approval;

(C) will not result in an intensification of Use incompatible with neighboring Developments; and

(D) will not substantially increase in the number of vehicle trips to and from the site, including trips generated for service and deliveries.

*(Amended by Ord. Nos. 02-24; 06-76)*

#### **15-2.14-7. CRITERIA FOR BED AND BREAKFAST INNS.**

A Bed and Breakfast Inn is a Conditional Use. No Conditional Use permit may be issued unless the following criteria are

met:

- (A) If the Use is in an Historic Structure, the Applicant will make every attempt to rehabilitate the Historic portion of the Structure.
- (B) The Structure has at least two (2) rentable rooms. The maximum number of rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.
- (C) In an Historic Structure, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.
- (D) The rooms are available for Nightly Rental only.
- (E) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.
- (F) Food service is for the benefit of overnight guests only.
- (G) No Kitchen is permitted within rental rooms.
- (H) Parking on-Site is required at a rate of one (1) space per rentable room. The Planning Commission may waive the parking requirement for Historic Structures if the Applicant proves that:
  - (1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and
  - (2) the Structure is not economically feasible to restore or maintain without the adaptive Use.
- (I) The Use complies with LMC Chapter 15-1-10, Conditional Use Review.

#### **15-2.14-8. CRITERIA FOR RAISING AND GRAZING OF HORSES.**

The raising and grazing of horses may be approved as a Conditional Use by the Planning Commission. In making a determination whether raising and grazing of horses is appropriate, the Planning Commission shall consider the following criteria:

- (A) Any barn must be located a minimum of seventy-five feet (75') from the nearest neighboring Dwelling Use.
- (B) There shall be a maximum of two (2) horses per acre.
- (C) Terrain and Slope of the Property must be suitable for horses.
- (D) The Applicant must submit an Animal Management Plan outlining the following:
  - (1) waste removal/odors;
  - (2) drainage and runoff;
  - (3) bedding materials;
  - (4) flies; and
  - (5) feed/hay

#### **15-2.14-9. OUTDOOR EVENTS AND MUSIC.**

Outdoor events and music require an Administrative Conditional Use Permit. The Use must also comply with LMC Chapter 15-1-10, Conditional Use Review. The Applicant must submit a Site plan and written description of the event, addressing the following:

- (A) Notification of adjacent Property Owners.
- (B) No violation of the City Noise Ordinance, Municipal Code Title 6.
- (C) Impacts on adjacent residential uses.
- (D) Proposed plans for music, lighting, Structures, electrical, signs, etc.
- (E) Parking demand and impacts on neighboring Properties.
- (F) Duration and hours of operation.
- (G) Impacts on emergency Access and circulation.

#### **15-2.14-10. VEGETATION PROTECTION.**

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation.

*(Amended by Ord. No. 06-76)*

**15-2.14-11. SIGNS.**

Signs are allowed in the RDM District as provided in the Sign Code, see Municipal Code Title 12.

**15-2.14-12. RELATED PROVISIONS.**

Fences and Walls. LMC Chapter 15-4-2.

Accessory Apartment. LMC Chapter 15-4-7.

Satellite Receiving Antenna. LMC Chapter 15-4-13.

Telecommunication Facility. LMC Chapter 15-4-14.

Parking. LMC Chapter 15-3.

Landscaping. Title 14; LMC Chapter 15-3-3(D).

Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).

Historic Preservation Board. LMC Chapter 15-11.

Park City Sign Code. Title 12.

Architectural Review. LMC Chapter 15-5.

Snow Storage. LMC Chapter 15-3-3(E).

Parking Ratio Requirements. LMC Chapter 15-3-6.

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